Supreme Court, U.S.
FILED

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No.

In the

Supreme Court of the United States

October Term, 1998

LARRY RITCHIE JUNIOR

Petitioner,

-vs-

BONNA GOODNIGHT [Sanitarian],
MID OHIO VALLEY HEATH DEPARTMENT [Sued as a Person],
ROBERT HOLLAND JUNIOR [Judge],
DAVID HANLON [Attorney],
STATE OF WEST VIRGINIA [Sued as a Person],
WEST VIRGINIA CONTRACTOR LICENSING
BOARD [Sued as a Person], and
JACK R. MURRAY [Chairman]

Respondents,

On Petition for Writ of Certiorari to the Third Judicial Circuit Court
County of Ritchie, West Virginia

On Petition for Writ of Certiorari to the Supreme Court of Appeals
Kanawha County, West Virginia

PETITION FOR WRIT OF CERTIORARI

LARRY RITCHIE JUNIOR
c/o Route 2 Box 54
Marietta, Ohio 45750
Petitioner

QUESTIONS FOR REVIEW.

1) Do Courts within State of West Virginia possess Jurisdiction for Ruling upon Federal Statutes upon presentment by moving Party of Interest by choice of Law Applicable?

2) Must State of West Virginia recognize/honor as stipulated under 1789 Constitution of United States of America Article Section 1 for Full Faith and Credit Clause license for Drilling Well(s) for water with bond like licenses to Drive with auto insurance?

3) Can State of West Virginia pass laws to regulate interstate commerce?

4) Can West Virginia Licensing Board other than Courts of Law or Officers of Court prosecute a Complaint against any Citizen outside of Court with retaining a License to Practice Law under status of Prosecutor/Judge/Attorney without consent; recognition; joiner as a Party by consent or commission by such Citizen?

5) Must Courts whether Federal or State strike/Set aside any State Rule; Policy {Public or Private}; Statute; Ordinance and or Custom which comes into Conflict with any 1789 Constitution of United States of America Amendment(s); Article or Provision?

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I. OPINIONS

At a regular term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 28th day of January, 1999, the following Order was made and entered:

Larry Ritchie Junior, Petitioner

vs.) No. 990076

Bonna Goodnight, the Honorable Robert Holland Jr., Judge of Third Judicial Circuit, David Hanlon, Prosecuting Attorney, and the Mid Ohio Valley Health Department Respondents

On a Former day, to wit, January 19,1999, came the Petitioner, Larry Ritchie Junior, pro se, and presented to the court his petition seeking writ of certiorari for the reasons stated therein.

Upon consideration whereof, the court is of opinion to and doth hereby refuse said petition.

2) Decision of Supreme Court of Appeals, Kanawha County, West Virginia is filed under 990076 and decision of Third Judicial Circuit Court, County of Ritchie, West Virginia is filed under 98-C-51 and cases are unreported.

II.STATEMENT OF JURISDICTION

3) January 28, 1999; Supreme Court Appeals entered opinion to and doth hereby refuse said Petition.

4) Larry Ritchie Junior Petitioner invokes Supreme Court of the United States' Jurisdiction for admission of filing Petition for Writ of Certiorari under Supreme Court Practice Rule 10 for Conflict(s) with Decision by Court of last resort within West Virginia State under Title 28 U.S.C. Section 1257 for Judgment rendered by Supreme Court of Appeals of West Virginia under 1789 Constitution of U.S.A. Article III Section 2 for Controversies between State and Citizen of Another State and Article III Section 2 [1] for exercising Power of Judicial under 1789 U.S.C.A. I for Right of Petitioning Government for redress of grievances.

III. CONSTITUTIONAL PROVISIONS AND STATUTES.

5) Provisions under Constitution of United States before Supreme Court of Appeals, Charleston, West Virginia January 19, 1999 by Petition for Writ of Certiorari from Third Judicial Circuit Court, County of Ritchie, West Virginia.

i. Provisions under 1789 United States Constitution

a) Amendment I Right to Petition the Government for a redress of grievances;

b) Amendment V Deprivation of life, liberty, or property without due process of law;

c) Amendment XIV deprive citizens of life, liberty or property without due process of law and Equal Protection and Benefit under law;

d) Article IV Section 3 [1] No new State shall be formed or erected within the Jurisdiction of any other State;

e) Article IV Section 4 The United States shall guarantee to every State in this Union a Republican Form of Government;

6) Statutes and Constitution of West Virginia, Federal Rules of Civil Procedure, and Uniform Commercial Code provisions before Supreme Court of Appeals, Charleston, West Virginia presented January 19, 1999 by Petition for Writ of Certiorari to Third Judicial Circuit Court, County of Ritchie, West Virginia. For length of Statutes and Constitution of West Virginia provisions involved are lengthy, the immediately pertinent portions of statutes are setforth within Appendix C, page {12 a} following provisions include;

i. United States Code

a) Title 42 U.S.C.S. § 1986 Knowledge of Law;

b) Title 42 U.S.C.S. § 1985 Conspiracy aginst Rights;

c) Title 42 U.S.C.S. § 1983 Deprivation of Rights;

d) Title 18 U.S.C.S. § 242 Deprivation of Rights under Color of Law;

e) Title 18 U.S.C.S. § 241 Conspiracy against Rights;

f) Title 18 U.S.C.S. § 245 for Activities Federally Protected;

g) Title 18 U.S.C.S. § 872 Extortion;

h) Title 18 U.S.C.S. § 1621 Perjury of Oath of Office;

i) Title 18 U.S.C.S. § 1651 for Piracy;

j) Title 18 U.S.C.S. § 1961 Interference with Commerce;

k) Title 28 U.S.C.S. § 1605 Jurisdictional immunity of a foreign state;

l) Title 28 U.S.C.S. § 1606 Extent of liability.

ii. Provisions under Constitution of West Virginia

a) Article VIII § 6 Circuit Courts; Jurisdiction, Authority and Power;

IV. STATEMENT OF CASE

7) November 24, 1998; Respondent Bonna Goodnight [Sanitarian] serviced Larry Ritchie Junior Plaintiff of Ritchie Drilling Company with an Order entitled "Cease and Desist".

8) December 1, 1998; Larry Ritchie Junior Plaintiff filed under Master/Servant Relationship a Motion for Showing of Cause under F.R.C.P. Rule 7 for Application Before Court.

9) December 10, 1998; Larry Ritchie Junior Plaintiff filed Response: Writ of Error: Judgment by Default under F.R.C.P. Rule 55 against Respondent Bonna Goodnight [Sanitarian] for neglecting an Answer; pleading; or defense against Larry Ritchie Junior Plaintiff's Motion for showing of cause timely under F.R.C.P. Rule 6(d) under Rule of Law.

10) December 10, 1998; Larry Ritchie Junior Plaintiff filed Affidavit in Support of Judgment by Default.

11) December 10, 1998; Larry Ritchie Junior Plaintiff filed Writ of Praecipe with Clerk of Court for entering Judgment by Default under F.R.C.P. Rule 55 against respondent Bonna Goodnight [Sanitarian].

12) December 10, 1998; Larry Ritchie Junior Plaintiff filed Order for Judgment by Default with Clerk of Court under F.R.C.P. Rule 55.

13) December 10, 1998; Larry Ritchie Junior Plaintiff filed Facts, Findings and Conclusions of Law F.R.C.P. Rule 53(e) for Judicial Notice in aid of seeking an Order for relief by Injunction.

14) December 10, 1998; Larry Ritchie Junior Plaintiff filed Injunction Order against Bonna Goodnight [Sanitarian] with Clerk of Court.

15) December 10, 1998; Larry Ritchie Junior Plaintiff filed Bill of Complaint: Writ of Error against Respondent Bonna Goodnight [Sanitarian].

16) December 10, 1998; Clerk of Third Judicial Circuit Court issued Summons against Respondent Bonna Goodnight [Sanitarian].

17) December 10, 1998; Bryan Douglas, Wallace served Summons upon Respondent Bonna Goodnight [Sanitarian].

18) December 14, 1998; David Hanlon [Counselor] for Respondent Bonna Goodnight [Sanitarian] filed a Motion to Dismiss under F.R.C.P. Rule 12(b)(6) for Failure of stating a Claim for Relief.

19) December 21, 1998; Larry Ritchie Junior Plaintiff filed Affidavit for Status under F.R.E. Rule 104(b) for Condition of Fact under F.R.E. Rule 201(d) for Mandatory Judicial Notice upon status of Larry Ritchie Junior Plaintiff.

20) December 21, 1998; Larry Ritchie Junior Plaintiff filed Motion to Strike under F.R.C.P. Rule 12(f) for Insufficient Defense; Immaterial and Impertinence Substance for striking entirety David Hanlon [Counselor's] Motion to Dismiss under F.R.C.P. Rule 12(b)(6) for Failure Stating of Claim for Relief.

21) December 21; 1998; Robert Holland Junior [Judge] for Third Judicial Circuit Court, County of Ritchie; West Virginia issued an Order for Dismissing Larry Ritchie Junior Plaintiff's Bill of Complaint: Writ of Error for Improper venue and Failure to State a claim upon which relief maybe granted.

22) January 8, 1999; Larry Ritchie Junior Plaintiff noticed Respondents David Hanlon [Attorney]; Robert Holland Junior [Judge] and Mid Ohio Valley Health Department [Sued as a Person] were joined as Parties by Rule of Law under F.R.C.P. Rule 19 for Joinder of Persons/Parties Needed for Adjudications.

23) January 19, 1999; Larry Ritchie Junior Petitioner filed Writ of Certiorari under Article VIII Section 3 of Constitution of West Virginia directed to Third Judicial Circuit Court; County of Ritchie, West Virginia for certification of record for review by Supreme Court of Appeals of West Virginia.

24) January 28, 1999; Supreme Court of Appeals of West Virginia issued an Order denying hearing of Larry Ritchie Junior Petitioner's Writ of Certiorari directed to Third Judicial Circuit Court; County of Ritchie, West Virginia for certification of record for review.

25) February 16, 1999; Larry Ritchie Junior Petitioner Noticed Attorney General of West Virginia for State of West Virginia [Sued as a Person] was joined as a Party under Rule of Law of F.R.C.P. Rule 19 for Joinder of Person(s) Needed for Adjudication(s) within Larry Ritchie Junior Petitioner's Writ of Certiorari before Supreme Court of U.S.A. for Review of record.

26) April 8, 1999; Bryan Douglas Wallace serviced Larry Ritchie Junior Petitioner's Notice upon West Virginia Contractor Licensing Board [Sued as a Person] and Jack Murray [Chairman] were joined as a Party under Rule of Law of F.R.C.P. Rule 19 for Joinder of Persons/Parties Needed for Adjudication within Larry Ritchie Junior Petitioner's Writ of Certiorari before Supreme Court of United States of America for Review of record by prepaid regular United States Mail.

V. REASONS FOR GRANTING WRIT OF CERTIORARI

27) January 28, 1999; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) under Title 42 U.S.C. Section 1985 for Conspiracy by Supreme Court of Appeals of West Virginia and Respondent State of West Virginia [Sued as a Person].

28) January 28, 1999; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) under Title 42 U.S.C. Section 1983 for Deprivation of Rights by Supreme Court of Appeals of West Virginia and Respondent State of West Virginia [Sued as a Person].

29) January 28, 1999; Without Due Process of Law under 1789 U.S.C.A. Amendment V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) under Title 18 U.S.C. Section 242 for Deprivation of Rights by Supreme Court of Appeals of West Virginia and Respondent State of West Virginia [Sued as a Person].

30) January 28, 1999; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) under Title 18 U.S.C. Section 241 for Conspiracy of Rights by Supreme Court of Appeals of West Virginia and Respondent State of West Virginia [Sued as a Person].

31) January 28, 1999; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) under Title18 U.S.C. Section 1505 for Obstruction of Justice by Supreme Court of Appeals of West Virginia and Respondent State of West Virginia [Sued as a Person].

32) March 30, 1999; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) under Title 42 U.S.C. Section 1985 for Conspiracy of Rights by Respondents West Virginia Contractor Licensing Board [Sued as a Person] and Jack Murray [Chairman].

33) March 30, 1999; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) under Title 42 U.S.C. Section 1983 for Deprivation of Rights by Respondents West

Virginia Contractor Licensing Board [Sued as a Person] and Jack Murray [Chairman].

34) March 30, 1999; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) under Title U.S.C. Section 242 for Deprivation of Rights by Respondents West Virginia Contractor Licensing Board [Sued as a Person] and Jack Murray [Chairman].

35) March 30, 1999; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) under Title 18 U.S.C. Section 241 for Conspiracy of Rights by Respondents West Virginia Contractor Licensing Board [Sued as a Person] and Jack Murray [Chairman].

36) March 30, 1999; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) under Title 18 U.S.C. Section 245 for Federally Protected Activities by Respondents West Virginia Contractor Licensing Board [Sued as a Person] and Jack Murray [Chairman].

37) March 30, 1999; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) under Title 18 U.S.C. Section 1341 for Mail Fraud by Respondent Jack Murray [Chairman].

38) March 30, 1999; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) under Title 18 U.S.C. Section 1505 for Obstruction of Justice by Respondents West

Virginia Contractor Licensing Board [Sued as a Person] and Jack Murray [Chairman].

39) March 30, 1999; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) under Title 18 U.S.C. Section 1621 for Perjury of Oath of Office by Respondent Jack Murray [Chairman].

CONCLUSION

40) Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) by Respondent State of West Virginia [Sued as a Person] under status of "Principal" for Nonfeasance of Office by Justices of Supreme Court of Appeals for Malfeasance by Respondents Bonna Goodnight [Sanitarian], Mid Ohio Valley Heath Department [Sued as a Person], Robert Holland Junior [Judge], David Hanlon [Attorney], West Virginia Contractor Licensing Board [Sued as a Person] and Jack Murray [Chairman] actors under scope of authority of Respondent State of West Virginia [Sued as a Person] for impairing Obligation of Contract for Perjury of Oath of Office by Robert Holland Junior [Judge], David Hanlon [Attorney], Bonna Goodnight [Sanitarian] and Jack Murray [Chairman] acting in concert by design.

41) Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) by Respondent State of West Virginia [Sued as a Person] under status of "Principal" for Nonfeasance of Office by Justices of Supreme Court of Appeals of West Virginia by imposition of Ex Post Facto Law by infringement of Rights by Respondents Bonna Goodnight [Sanitarian], Mid Ohio Valley Heath Department [Sued as a Person], Robert Holland Junior [Judge], David Hanlon [Attorney], West Virginia Contractor Licensing Board [Sued

as a Person] and Jack Murray [Chairman] actors under scope of authority of Respondent State of West Virginia [Sued as a Person] acting in concert denying Larry Ritchie Junior Petitioner Court Access by design.

42) Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) by Respondent State of West Virginia [Sued as a Person] under status of "Principal" for Nonfeasance of Office by Justices of Supreme Court of Appeals by Bill of Attainders for Malfeasance by Respondents Bonna Goodnight [Sanitarian], Mid Ohio Valley Heath Department [Sued as a Person], Robert Holland Junior [Judge], David Hanlon [Attorney], West Virginia Contractor Licensing Board [Sued as a Person] and Jack Murray [Chairman] actors under scope of authority of Respondent State of West Virginia [Sued as a Person] acting in concert denying Larry Ritchie Junior Petitioner Court Access by design.

43) Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) by Respondent State of West Virginia [Sued as a Person] under status of "Principal" for Nonfeasance of Office by Bill of Attainders by impairing obligation of contract for Perjury of Oath of Offices by Respondents Bonna Goodnight [Sanitarian], Robert Holland Junior [Judge], David Hanlon [Attorney], and Jack Murray [Chairman] actors under scope of authority of Respondent State of West Virginia [Sued as a Person] acting in concert denying Larry Ritchie Junior Petitioner Court Access by design.

PRAYER FOR RELIEF

44) Larry Ritchie Junior Petitioner prays Supreme Court of United States of America grant following Relief;

a) Compensatory Damages in amount of $700,000.00 and no cents and Punitive Damages in amount of $700,000.00 against Respondents

Bonna Goodnight [Sanitarian]; Robert Holland Junior [Judge]; David Hanlon [Attorney]; Mid Ohio Valley Health Department [Sued as a Person]; State of West Virginia [Sued as a Person]; West Virginia Contractor Licensing Board [Sued as a Person] and Jack Murray [Chairman] for increase cost of litigation and neglect of Due Process of Law under 1789 Constitution of U.S.A. Amendment V and XIV damage of Larry Ritchie Junior Petitioner's Honor; Reputation and Character within Community and mental and physical stress upon Larry Ritchie Junior Petitioner's Body;

b) Total amount of liability against per Respondent $200,000.00 and no cents jointly and severally;

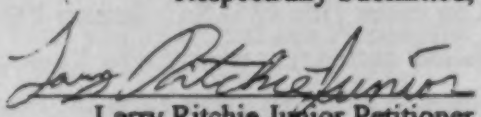
c) Total amount of Compensatory and Punitive Damages equals $1,400,000.00 and no cents.

d) Grant/Issue Petition for Writ of Certiorari to Supreme Court of Appeals of West Virginia for certification of record for review;

e) Grant Ritchie Drilling Company Right of entering into Contract for Drilling Wells for Water within West Virginia;

f) Any further relief Supreme Court of United States deems necessary.

Respectfully Submitted,



Larry Ritchie Junior Petitioner
c/o Route 2 Box 54
Marietta, Ohio 45750

APPENDIX

APPENDIX A --- OPINION BY SUPREME COURT OF APPEALS, KANAWHA COUNTY, WEST VIRGINIA 28th DAY OF JANUARY, 1999.

Case Number 990076

In the

SUPREME COURT OF APPEALS
KANAWHA COUNTY, WEST VIRGINIA

LARRY RITCHIE JUNIOR

Petitioner,

-vs-

BONNA GOODNIGHT [Sanitarian],
MID-OHIO VALLEY HEATH DEPARTMENT [Sued as a Person],
ROBERT HOLLAND JUNIOR [Judge] and
DAVID HANLON [Attorney]

Respondents,

Petition for Writ of Certiorari to Third Judicial Circuit Court
County of Ritchie, West Virginia
Incorporated Case 98-C-51 --- Robert Holland, Jr. [Judge]

At a regular term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 28th day of January, 1999, the following Order was made and entered:

Larry Ritchie Junior, Petitioner

vs.) No. 990076

Bonna Goodnight, the Honorable Robert Holland Jr., Judge of Third Judicial Circuit, David Hanlon, Prosecuting Attorney, and the Mid Ohio Valley Health Department Respondents

On a Former day, to wit, January 19,1999, came the Petitioner, Larry Ritchie Junior, pro se, and presented to the court his petition seeking writ of certiorari for the reasons stated therein.

Upon consideration whereof, the court is of opinion to and doth hereby refuse said petition.

A True Copy

/s/ Deborah McHey

Clerk, Supreme Court of Appeals

I. Facts

1) January 19, 1999; Supreme Court of Appeals possessed Knowledge defined under U.C.C. Article 1-201(25-27) for establishing claim of liability for possession of knowledge of Larry Ritchie Junior Petitioner presentment under U.C.C. Article 3-501 for Presentment of Contract between Larry Ritchie Junior Petitioner under status of "Master" and Third Judicial Circuit Court; County of Ritchie, West Virginia under status of "Servant" transaction secured by payment of filing fee in amount of $75.00 and no cents.

2) January 19, 1999; Supreme Court of Appeals of West Virginia possessed knowledge defined under U.C.C. Article 1-201(25-27) for establishing claim of knowledge of Respondent Bonna Goodnight [Sanitarian], Robert Holland Junior [Judge] and David Hanlon [Attorney] impairing obligation of contract for Perjury of Oath of Office acting in concert by design.

3) January 19, 1999; Supreme Court of Appeals of West Virginia possessed knowledge defined under U.C.C. Article 1-201(25-27) for establishing claim of knowledge of Respondent Bonna Goodnight [Sanitarian] and Mid Ohio Valley Heath Department [Sued as a Person] by imposition of Ex Post Fact Law for infringement upon Larry Ritchie Junior Petitioner's Rights of Liberty; pursuit of happiness; Due Process of Law and Due Course of Law by obstructing/impeding performance obligated under Contract by trespassing into a Contract without being named as a Party acting in concert by design.

4) January 19, 1999; Supreme Court of Appeals of West Virginia possessed knowledge defined under U.C.C. Article 1-201(25-27) for establishing claim of knowledge of Respondent Bonna Goodnight [Sanitarian] imposition of Bill of Attainder for upon Larry Ritchie Junior Petitioner's Rights of Liberty; pursuit of happiness; Due Process of Law and Due Course of Law by use of threats/coercion of Misprision of Felony by design.

5) January 19, 1999; Supreme Court of Appeals of West Virginia possessed knowledge defined under U.C.C. Article 1-201(25-27) for establishing claim of knowledge of Respondent Bonna Goodnight [Sanitarian] under "Disguise of Law" assimilated process issued by Court of Law for impersonation of Court Officer by design.

6) January 19, 1999; Supreme Court of Appeals of West Virginia possessed knowledge defined under U.C.C. Article 1-201(25-27) for establishing claim of knowledge of Respondent Bonna Goodnight [Sanitarian] under "Disguise of Law" interference with flow of commerce by Malfeasance of Office by design.

7) January 19, 1999; Supreme Court of Appeals of West Virginia possessed knowledge defined under U.C.C. Article 1-201(25-27) for establishing claim of knowledge of Respondents Bonna Goodnight [Sanitarian]; Robert Holland Junior [Judge]; Mid Ohio Valley Health Department [Sued as a Person] and David Hanlon [Attorney] acting in concert by imposition of Ex Post Facto Law for infringement of Larry Ritchie Junior Petitioner's rights reserved timely by use of "Remedy" under U.C.C. Article 1-207 for Reservation of Rights under U.C.C. Article 1-103 for Principal of Law Applicable of Due Course and Due Process of Law by neglecting prevention of further injury(s) or wrongs(s) by design.

8) January 19, 1999; Supreme Court of Appeals of West Virginia possessed knowledge defined under U.C.C. Article 1-201(25-27) for establishing claim of knowledge of Respondents Robert Holland Junior [Judge]; Mid Ohio Valley Health Department

[Sued as a Person] and David Hanlon [Attorney] acting in concert for imposition of Bill of Attainder(s) against of Larry Ritchie Junior Petitioner's exercising rights reserved timely and in Good Faith by use of "Remedy" under U.C.C. Article 1-207 for Reservation of Rights under U.C.C. Article 1-103 for Principal of Law Applicable of Due Course and Due Process of Law by neglecting prevention of further injury(s) or wrongs(s) by possession of knowledge of Fraud perpretated by Respondent Bonna Goodnight [Sanitarian] by design.

9) January 19, 1999; Supreme Court of Appeals of West Virginia possessed knowledge defined under U.C.C. Article 1-201(25-27) for establishing claim of knowledge of Respondents Robert Holland Junior [Judge] and David Hanlon [Attorney] acting in concert by impairing obligation of contract for perjury of Oath of Office for Obstruction of Justice by denying Larry Ritchie Junior Petitioner court access.

10) January 19, 1999; Supreme Court of Appeals of West Virginia possessed knowledge defined under U.C.C. Article 1-201(25-27) for establishing claim of knowledge of Respondents Robert Holland Junior [Judge] and David Hanlon [Attorney] acting in concert for extorting of commerce of Larry Ritchie Junior Petitioner by impairing obligation of contract for Perjury of Oath of Office by design.

11) January 19, 1999; Supreme Court of Appeals of West Virginia possessed knowledge defined under U.C.C. Article 1-201(25-27) for establishing claim of knowledge of Respondents Robert Holland Junior [Judge] and David Hanlon [Attorney] acting in concert for interference with flow of commerce by impairing obligation of contract for Perjury of Oath of Office by design.

12) January 28, 1999; Justices of Supreme Court of Appeals of West Virginia taken an Oath of Office for Supporting, Defending and Upholding 1789 Constitution of U.S.A. and Constitution of West Virginia against enemies foreign and domestic.

13) January 28, 1999; Supreme Court of Appeals of West Virginia possessed knowledge defined under U.C.C. Article

1-201(25-27) for establishing claim of knowledge and denied Larry Ritchie Junior Petitioner Court Access by design.

14) January 28, 1999; Supreme Court of Appeals of West Virginia possessed knowledge defined under U.C.C. Article 1-201(25-27) for establishing claim of knowledge and neglected prevention of further injury(s) or wrong(s) upon Larry Ritchie Junior Petitioner by design.

II. CONCLUSIONS OF LAW

15) January 28, 1999; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) by Supreme Court of Appeals of West Virginia for denial of court access by design.

16) January 28, 1999; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) under Title 42 U.S.C. Section 1985 for Conspiracy by Supreme Court of Appeals of West Virginia for denial of court access by design.

17) January 28, 1999; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) under Title 42 U.S.C. Section 1983 for Deprivation of Rights by Supreme Court of Appeals of West Virginia for denial of court access by design.

18) January 28, 1999; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) under Title 18 U.S.C. Section 1505 for Obstruction of Justice by Supreme Court of Appeals of West Virginia for denial of court access by design.

APPENDIX B — Order Issued By Third Judicial Circuit Court; County of Ritchie, West Virginia

Incorporated Case Number 98-C-51

In the

THIRD JUDICIAL CIRCUIT COURT
COUNTY OF RITCHIE, WEST VIRGINIA

LARRY RITCHIE JUNIOR

Plaintiff,

-vs-

BONNA GOODNIGHT [Sanitarian]

Respondent,

1) This matter came before the Court this 21st day of December, 1998, for a status conference pursuant to the Court's motion by order entered 11th day of December, 1998, the plaintiff appearing Pro Se and the defendant appearing in person and by David Hanlon, Prosecuting Attorney of Ritchie County.

The Court having carefully reviewed the various documents filed by the plaintiff, finds that the same appear to allege various violations of federal statutes which are beyond the jurisdiction of this Court.

The Court accordingly fiinds pursuant to Rule 12(b) of the Rules of Civil Procedure, that the plaintiff has failed to state a claim upon which relief can be granted.

This case is accordingly Ordered to be dismissed from the docket.

/s/ Robert Holland Junior
Judge of Third Judicial Circuit

I. FACTS

2) November 20, 1998; Larry Ritchie Senior owner of Ritchie drilling Company entered into Contract by way of Agreement for rental of one rig under status of "Consultant" for drilling of well for water with Margaret Fury.

3) November 24, 1998; Bonna Goodnight [Sanitarian] employee's for Mid Ohio Valley Heath Department [Sued as a Person] issued/ drawn-up upon location an Order for Cease and Desist further drilling well for water.

4) November 24, 1998; Larry Ritchie Senior owner of Ritchie Drilling Company presented license with Bond for Drilling wells for Water granted by State of Ohio before Respondent Bonna Goodnight [Sanitarian].

5) November 24, 1998; Larry Ritchie Junior Plaintiff gave knowledge of 1789 Constitution of U.S.A. Article IV Section 1 for Full faith and credit shall be given in each State to the Public Acts, Records and Judicial Proceedings of every other State and Citizens of Different States were permitted entering into Contract by 1789 Constitution of U.S.A. Article 1 Section 10 [1] for no Law shall impair Obligation of Contract defined under U.C.C. Article 1-201(25-27) for establishing claim of liability for possession of knowledge upon Respondent Bonna Goodnight [Sanitarian].

6) November 24, 1998; Respondent Bonna Goodnight [Sanitarian] coerced Larry Ritchie Junior Plaintiff and Larry Ritchie Senior owner of Ritchie drilling Company by threat of Misprision of Felony if drilling did not cease.

7) December 1, 1998; Larry Ritchie Junior Plaintiff filed Motion for Showing of Cause under F.R.C.P. Rule 7 for Application before Court with Third Judicial Circuit Court; County of Ritchie, West Virginia for showing of cause by what authority permitted Respondent Bonna Goodnight [Sanitarian] employee for Mid Ohio Valley Heath Department [Sued as a Person] perpretate Fraud by simulation of Process issued by Court of Law under "Disguise of Law" for

impersonation of Officer of Court; Impair Obligation of Contract for Perjury of Oath of Office; Imposition of Ex Post Facto Law and Bill of Attainder for trespassing within a Contract between two Citizens without being named as a Party; Malfeasance of Office by Impairing Obligation of Contract for Perjury of Oath of Office; Nonfeasance of Office for neglecting prevention of further injury(s) or wrong(s) of fraud with possession of Knowledge and unauthorization Practice of Law without a License under Activity of Commerce.

8) December 10, 1998; Larry Ritchie Junior Plaintiff filed Response: Writ of Error: Judgment by Default under F.R.C.P. Rule 55 for Judgment by Default against Respondent Bonna Goodnight [Sanitarian] for neglecting an Answer; Pleading or Defense timely by Rule of Law under F.R.C.P. Rule 6(d) for Time of Response.

9) December 10, 1998; Larry Ritchie Junior Plaintiff received Judgment by Res Judicata by surrender of Respondent Bonna Goodnight [Sanitarian] neglecting an Answer; Pleading or Defense for admission upon Record within Third Judicial Circuit Court; County of Ritchie, West Virginia.

10) December 10, 1998; Larry Ritchie Junior Plaintiff presented under U.C.C. Article 3-501 for Presentment of Contract by way of Bill of Complaint: Writ of Error against Respondent Bonna Goodnight [Sanitarian] with Third Judicial Circuit Court; County of Ritchie, West Virginia under Master/Servant Relationship by payment of filing fee in amount of $75.00 for security of Interest of Due Process and Equal Protection and Benefit under Law.

11) December 10, 1998; Larry Ritchie Junior Plaintiff perfected interest of security under U.C.C. Article 9-103 for Security of interest of goods in nature of Due Process and Equal Protection and benefit under Law for satisfaction of F.R.C.P. Rule 4 for Service of Process of Larry Ritchie Junior Plaintiff's Bill of Complaint: Writ of Error by Bryan Douglas Wallace within period of thirty days for establishing claim of liability for possession of knowledge defined

under U.C.C. 1-201(25-27) of Fraud "Alleged" with Third Judicial Circuit Court; County of Ritchie, West Virginia.

12) December 21, 1998; Third Judicial Circuit Court; County of Ritchie, West Virginia ordered Hearing for Conference of Status.

13) December 21, 1998; Larry Ritchie Junior Plaintiff timely objected orally against Third Judicial Circuit Court; County of Ritchie, West Virginia Order for Dismissal upon following grounds:

a) Situs of Injuries of Fraud alleged upon Larry Ritchie Junior Petitioner was located within geographical Jurisdiction of Third Judicial Circuit Court; County of Ritchie, West Virginia;

b) Officers of Third Judicial Circuit Court; County of Ritchie, West Virginia are mandated by Oath of Office in favor hearing and declaring Ruling(s) upon Federal Law;

c) Law of Flag upon Trier of Fact Right Possessed Jurisdiction mandated by operation of law under Title 36 U.S.C. Section 175;

d) U.C.C. 1-105 for Choice of Law Applicable within Bill of Complaint: Writ of Error by Party of Interest under F.R.C.P. Rule 17(a) for Party of Interest under F.R.C.P. Rule 17(b) for Capacity for Cause of Action by Larry Ritchie Junior Plaintiff.

14) Robert Holland Junior [Judge] neglected ruling upon Larry Ritchie Junior Plaintiff's timely Objection.

15) Robert Holland Junior [Judge] possessed knowledge defined under U.C.C. 1-201(25-27) of Fraud and neglected prevention of further injury(s) or wrong(s) for denial of court access after security of interest of Due Process and Equal Protection and Benefit under Law was perfected by F.R.C.P. Rule 4 for Service of Process of Larry Ritchie Junior Plaintiff's Bill of Complaint: Writ of Error upon Respondent Bonna Goodnight [Sanitarian] within period of thirty days by U.C.C. Article 9-103 for Perfection of Security.

16) Robert Holland Junior [Judge] neglected Larry Ritchie Junior Plaintiff administration of Rights under 1789 Constitution of U.S.A. liberally under Rights reserved "Without Prejudice" under U.C.C. 1-207 for reservation of Rights under U.C.C. Article 1-103 for

Principal of Law Applicable by U.C.C. Article 1-106 for remedies be liberally administrated by denial of court access.

17) Third Judicial Circuit Court; County of Ritchie, West Virginia is holder of record for review.

II. CONCLUSIONS OF LAW

18) December 21, 1998; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) of Fraud by Robert Holland Junior [Judge]; Mid Ohio Valley Health Department [Sued as a Person] and David Hanlon [Attorney] acting in concert by design.

19) December 21, 1998; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) of Fraud under Title 42 U.S.C. Section 1985 for Conspiracy by Robert Holland Junior [Judge]; Mid Ohio Valley Health Department [Sued as a Person] and David Hanlon [Attorney] acting in concert by design.

20) December 21, 1998; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) of Fraud under Title 42 U.S.C. Section 1983 for Deprivation of Rights by Robert Holland Junior [Judge] and David Hanlon [Attorney] acting in concert by design.

21) December 21, 1998; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) of Fraud under Title 42 U.S.C. Section 242 for Deprivation of Rights by Robert Holland Junior [Judge]; Mid Ohio Valley Health Department [Sued as a Person] and David Hanlon [Attorney] acting in concert by design.

22) December 21, 1998; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) of Fraud under Title 42 U.S.C. Section 241 for Conspiracy of Rights by Robert Holland Junior [Judge]; Mid Ohio Valley Health Department [Sued as a Person] and David Hanlon [Attorney] acting in concert by design.

23) December 21, 1998; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. Section 1986 for neglecting prevention of further injury(s) or wrong(s) of Fraud by Robert Holland Junior [Judge] and David Hanlon [Attorney] for Impairing Obligation of Contract for Perjury of Oath of Office acting in concert by design.

24) December 21, 1998; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. section 1986 for neglecting prevention of further injury(s) or wrong(s) of Fraud by Robert Holland Junior [Judge] and David Hanlon [Attorney] for Imposition of Ex Post Facto Law for Infringement of Rights for Impairing Obligation of Contract for Perjury of Oath of Office acting in concert by design.

25) December 21, 1998; Without Due Process of Law under 1789 U.S.C.A. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. section 1986 for neglecting prevention of further injury(s) or wrong(s) of Fraud by Robert Holland Junior [Judge] and David Hanlon [Attorney] for Bill of Attainder by Impairing Obligation of Contract for Perjury of Oath of Office acting in concert by design.

APPENDIX C — RELEVANT STATUTES AND CONSTITUTION OF WEST VIRGINIA.

I. United States Code Section

1) Title 42 U.S.C.S. § 1986 Knowledge of Law;

Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in section 1985 of this Title, are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects of refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or his legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action of the case; and any number of persons guilty of such wrongful neglect or refusal may be joined as defendants in the action; and if the death of any party be caused by any such wrongful act and neglect, the legal representatives of the deceased shall have such action therefor, and may recover not exceeding $5,000.00 damages therein, for the benefit of the widow of the deceased, if there be one, and if there be no widow, then for the benefit of the next of kin of the deceased. But no action under the provisions of this section shall be sustained which is not commenced within one year after the cause of action has accrued.

2) Title 42 U.S.C.S. § 1985 Conspiracy to interfere with civil Rights;

(1) Preventing officer from performing duties. If two or more person in any State or Territory conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof; or to induce by like means any officer of the United States to leave any State, district, or place, where his duties as on officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office,

or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties;

(2) Obstructing justice; intimidating party, witness, or juror. If two or more persons in any State or Territory conspire to deter, by force, intimidation, or threat, any party or witness in any court of the United States from attending such court, or from testifying to any matter pending therein, freely, fully, and truthfully, or to injure such party or witness in his person or property on account of his having so attended or testified, or to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to be him, or of his being or having been such juror; or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws;

(3) Depriving persons of rights or privileges. If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any state or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice

President, or as a Member of Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy; in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators.

3) Title 42 U.S.C.S. § 1983 Deprivation of Rights;

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or cause to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

4) Title 18 U.S.C.S. § 242 Deprivation of Rights under Color of Law;

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use

of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

5) Title 18 U.S.C.S. § 241 Conspiracy against rights;

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him be the Constitution or Laws of the United States, or because of his having so exercised the same; or

They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death.

6) Title 18 U.S.C.S. § 245 for Activities Federally Protected;

(b) Whoever, whether or not acting under Color of Law, by use of force willfully injuries, intimidates or interferes with, or attempts to injure, intimidate or interfere with-

(1) any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from

(B) participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administrated by United States.

7) Title 18 U.S.C.S. § 872 Extortion by officers or employees of the United States;

Whoever, being an officer, or employee of the United States or any department or agency thereof, or representing himself to be or assuming to act as such, under color or pretense of office or employment commits or attempts an act of extortion, shall be fined under this title or imprisoned not more than three years, or both.

8) Title 18 U.S.C.S. § 1621 Perjury of Oath of Office;

Whoever;

(1) having taken as oath before a competent tribunal, officer, or person, in any case in which a law of the united states authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true; or

(2) in any declaration, certificate, verification, or statement under penalty of perjury as permitted under section 1746 of title 28, United States Code, willfully subscribes as true any material matter which he does not believe to be true;

is guilty of perjury and shall, except as otherwise expressly provided by law, be fined under this title or imprisoned not more than five years, or both. This section is applicable whether the statement or subscription is made within or without the United States.

9) Title 18 U.S.C.S. § 1651 for Piracy;

Whoever on the high seas commits the crime of piracy as defined by Law of Nations and is afterwards brought into or found in the United States shall be imprisoned for life.

10) Title 28 U.S.C.S. § 1605 General exceptions to the jurisdictional immunity of a foreign state;

(a) A foreign state shall not be immune from the jurisdiction of courts of the United States or of the States in any case;

(a)(2) in which the action is based upon a commercial activity carried on in the United States by the foreign state; or upon an act

performed in the United States in connection with a commercial activity of the foreign state elsewhere; or upon an act outside the territory of the United States in connection with a commercial activity of the foreign state elsewhere and that act causes a direct effect in the United States;

(a)(5) not otherwise encompassed in paragraph (2) above, in which money damages are sought against a foreign state for personal injury or death, or damage to or loss of property, occurring in the United States and caused by the tortuous act or omission of that foreign state or of any official or employee of that foreign state while acting within the scope of his office or employment; except this paragraph shall not apply to;

(a)(5)(A) any claim based upon the exercise or performance or the failure to exercise or perform a discretionary function regardless of whether the discretion be abused, or

(a)(5)(B) any claim arising out of malicious prosecution, abuse of process, libel, slander, misrepresentation, deceit, or interference with contract rights.

11) Title 28 U.S.C.S. § 1606 Extent of liability;

As to any claim for relief with respect to which a foreign state is not entitled to immunity under section 1605 or 1607 of this chapter, the foreign state shall be liable in the same manner and to the same extent as a private individual under like circumstances; but a foreign state except for an agency or instrumentality thereof shall not be liable for punitive damages; if, however, in any case wherein death was caused, the law of the place where the action or omission occurred provides, or has been construed to provide, for damages only punitive in nature, the foreign state shall be liable for actual or compensatory damages measured by the pecuniary injuries resulting from such death which were incurred by the persons for whose benefit the action was brought.

II. Constitution of West Virginia.

12) Article VIII Section 3 Supreme Court of Appeals; Jurisdiction, Authority and Power.

The Supreme Court of Appeals shall have Original Jurisdiction of proceedings in Habeas Corpus; Mandamus; Prohibition and Certiorari.

The Court shall have appellate jurisdiction in civil cases at law where the matter in controversy, exclusive of interest and cost, is of greater value or amount than three hundred dollars unless such value or amount is increased by the legislature; in civil cases in equity; in controversies concerning title or boundaries of land; in proceedings in quo warranto, habeas corpus, mandamus, prohibition and certiorari; and in cases involving personal freedom or the constitutionality of a law. Supreme Court of Appeals shall have appellate jurisdiction in criminal cases, where there has been a conviction for a felony or misdemeanor in a circuit court, and such appellate jurisdiction as may be conferred upon it by law where there has been such a conviction in any other court. In criminal proceedings relating to the public revenue, the right of appeal shall belong to the state as well as the defendant. Supreme Court of Appeals shall have such other appellate jurisdiction, in both civil and criminal cases, as may be prescribed by law.

The Court shall have power to promulgate rules for all cases and proceedings, civil and criminal for all courts within state relating to writs, warrants, process, practice, and procedure, which shall have force and effect of law.

The court shall have general supervisory control over all intermediate appellate courts, circuit courts and magistrate courts. The chief justice shall be the administrative head of all the courts. He may assign a judge from one intermediate appellate court to another, from one circuit court to another, from one magistrate court to another, for temporary service. The court shall appoint an administrative director to

serve at its pleasure at a salary to be fixed by the court. The administrative director shall, under the direction of the chief justice, prepare and submit a budget for the court.

The officers and employees of the supreme court of appeals, including the clerk and the law librarian, shall be appointed and may be removed by the court. Their duties and compensation shall be prescribed by the court.

The number, times and places of the terms of supreme court of appeals shall be prescribed by law. There shall be at least two terms of the court held annually.

III FEDERAL RULES OF CIVIL PROCEDURE

13) F.R.C.P. Rule 8(a) "Claims for Relief"

A pleading which sets forth a claim for relief, whether an original claim, counter claim, cross-claim, or third party claim shall contain (1) a short plain statement of the grounds upon which the court's jurisdiction depends, unless court already has jurisdiction to support it; (2) a short plain statement of the claim showing that the pleader is entitled to relief and (3) a demand for judgment for the relief the pleader seeks. Relief in the alternative or of several different types may be demanded.

14) F.R.C.P. Rule 8(d) "Effect of Failure to deny"

Averments within a pleading to which a responsive pleading is required, other than those as to the amount of damage, are admitted when not denied in the responsive pleading. Averments in a pleading in which no responsive pleading is required or permitted shall be taken as denied or avoided.

15) F.R.C.P. Rule 19(a) "Joinder of Persons Needed for Just Adjudications"

a) Persons to be joined if feasible

A person who is subject to service of process and whose joinder will not deprive Court of Jurisdiction over the subject matter of the

action shall be joined as a party in the action if (1) in the person's absence complete relief cannot be accorded among those already parties, or (2) the person claims an interest relating to the subject of the action and is so situated that the disposition of the action in the persons absence may (i) as a practical matter impair or impeded the person's ability to protect that interest or (ii) leave any of the persons already parties subject to the substantial risk of incurring double, multiple or otherwise inconsistent obligations by reason of the claimed interest. If the person has not been so joined the court shall order that the person be made a party. if the person should join as a plaintiff but refuses to do so, the person may be made a defendant or, in a proper case, an involuntary plaintiff. If the joined party objects to venue and joinder of that party would render the venue of the action improper, that party shall be dismissed from the action.

16) F.R.C.P. 55 "Judgment by Default"

(a) Entry

When a party against whom a judgment for affirmative relief is sought has failed to answer, plead or otherwise defend as provided by these rules and that fact is made to appear by affidavit or otherwise, the clerk shall enter the party's default.

IV. UNIFORM COMMERCIAL CODE

17) U.C.C. Article 1-103 "Supplementary General Principals of Law Applicable"

Unless displaced by particular provisions of this act, the principals of law and equity, including the law merchant and the law relative to capacity to contract, principal and agent; estoppel; fraud; misrepresentation; duress; coercion; mistake; Bankruptcy; or other validating or invalidating cause shall supplement its provisions.

18) U.C.C. Article 1-105 "Territorial Application of the Act; Parties' Power to Choose Applicable Law"

1) Except as provided hereafter in this section, when a transaction bears a reasonable relation to this state and also to another state or nation the parties may agree that the law either of this state or other state or nation shall govern their rights and duties. Failing such agreement this act applies to transactions bearing appropriate relation to this state.

2) Where one of the following provisions of this act specifies the applicable law that the provision governs and a contrary agreement is effective only to the extent permitted by the law (including conflicts with laws rules) so specified for perfection provisions of the Article on secured transactions U.C.C. Section 9-103.

19) U.C.C. Article 1-106 "Remedies to be liberally Administered"

1) Remedies provided by this act shall be liberally administered to the end that the aggrieved Party may be put in as good position as if the other party had fully performed but neither consequential or special nor penal damages may be had except as specifically provided in this act or by other rule of law.

2) Any right or obligation declared by this act is enforceable by action unless provision declaring it specifies a different limited effect.

20) U.C.C. Article 1-201(25-27) "Establishing Knowledge for Claim of Liability"

25) A person has notice of a fact when

a) he as actual knowledge of it; or

b) he has received a notice or notification of it; or

c) from all facts and circumstances known to him at the time in question he has reason to know that it exists

A person "knows" or has "knowledge" of a fact when he has actual knowledge of it. "Discover" or "learn" or a word or phrase of similar import refers to knowledge rather than reason to know. the time

and circumstances under which a notice or notification may cease to be effective are not determined by this act.

26) A person "notifies" or "gives" a notice or notification to another by taking such steps as may be reasonably require to inform the other in ordinary course whether or not such other actually comes to know it. A person "receives" a notice or notification when

a) Notification or notice comes to the his attention; or

b) it is duly delivered at the place of business through which the contract was made or at any other place held out by him as the place for receipt of such communications.

27) Notice, knowledge or a notice or notification received by an Organization is effective for a particular transaction from the time when it is brought to the attention of the individual conducting that transaction, and in any event from the time when it would have been brought to his attention if the organization had exercised due diligence. An organization exercises due diligence if it maintains reasonable routines for communicating significant information to the person conducting the transaction and there is reasonable compliance with the routines. Due Diligence does not require an individual acting for the organization to communicate information unless such communication is part of his regular duties or unless he has reason to know of the transaction and that the transaction would be materially affected by his information.

21) U.C.C. Article 1-203 "Obligation of Good Faith"

Every Contract or duty within this act imposes an Obligation of Good Faith in its performance or enforcement.

22) U.C.C. Article 1-205 " Course of Dealing and Usage of Trade"

1) A course of dealing is a sequence of previous conduct between the parties to a particular transaction which is fairly to be

regarded as establishing a common basis of understanding for interpreting their expressions and other conduct.

2) A Usage of Trade is any practice or method of dealing having such regularity of observance in a place, vocation or trade as to justify an expectation that it will be observed with respect to the transaction in question. the existence and scope of such a usage are to be proved as facts. If it is established that such a usage is embodied in a written trade code or similar writing the interpretation of the writing is for the court.

3) A course of dealing between parties and any usage of trade in the vocation or trade in which they are engaged or of which they are or should be aware give particular meaning to and supplement or qualify terms of agreement.

4) The express terms of an agreement and an applicable course of dealing or usage of trade shall be construed wherever reasonable as consistent with each other; but when such construction is unreasonable express terms control both course of dealing and usage of trade and course of dealing controls usage of trade.

5) An Applicable usage of trade in the place where any part of performance is to occur shall be used in interpreting the agreement as to that part of the performance.

6) Evidence of a relevant usage of trade offered by one party is not admissible unless and until he has given the other party such notice as the court finds sufficient to prevent unfair surprise to the latter.

23) U.C.C. Article 1-207 "Performance or Acceptance under Reservation of Rights"

1) A Party who with explicit reservation of rights performs or promises performance or assents to performance in a manner demanded or offered by the other party does thereby prejudice the rights reserved. Such words "Without Prejudice Under Protest" or the like are sufficient.

24) U.C.C. Article 3-501 "Presentment"

a) Presentment means a demand made by or behalf of a person entitled to enforce an instrument (i) to pay the instrument made to the drawee or party obliged to pay the instrument or, in the case of a note or accepted draft payable at a bank, to the bank, or (ii) to accept a draft made to the drawee.

b) The following Rules are subject to Article 4 Agreement of Parties and clearinghouse rules and the like:

(1) Presentment may be made at the place of payment of the instrument and must be made at the place of payment if the instrument is payable at the bank in the United States; may be made by any commercially means; including an Oral, written, or electronic communication; is effective when the demand for payment or acceptance is received by the person to whom presentment is made; and is effective if made to anyone of two or more makers, acceptors, drawees, or other payors.

(2) Upon demand of the person to whom presentment is made; the person making presentment must (i) exhibit the instrument; (ii) give reasonable identification and, if presentment is made on behalf of another person, reasonable evidence of authority to do so; and (iii) sign a receipt on the instrument for any payment made or surrender the instrument if full payment is made.

(3) Without dishonoring the instrument, the party to whom presentment is made may (i) return the instrument for lack of a necessary indorsement, or (ii) refuse payment or acceptance for failure of the presentment to comply with the terms of the instrument, an agreement of the parties, or other applicable law or rule.

(4) The party to whom presentment is made may treat presentment as occurring on the next business day after the day of presentment if the party to whom presentment is made has established a cut-off hour not earlier than 2 p.m. for the receipt and processing of instruments presented for payment or acceptance and presentment is made after the cut-off hour.

25) U.C.C. Article 9-103 "Perfection of Security Interest in Multiple State Transactions"

1) Documents, instruments and ordinary goods.

a) This subsection applies to documents and instruments and to goods other than those covered by a certificate of title described in subsection (2), mobile goods described in subsection (3) and minerals described in subsection (5).-

b) Except as otherwise provided in this subsection, perfection and the effect of perfection or non-perfection of a security interest in collateral are governed by the law of jurisdiction where the collateral is when the last event occurs on which is based the assertion that the security interest is perfected or unperfected.

APPENDIX D --- ABBREVIATIONS AND DEFINITIONS USED IN PETITION FOR WRIT OF CERTIORARI.

F.R.C.P.	=	Federal Rules of Civil Procedure
U.S.C.	=	United States Code
U.S.C.A.	=	United States Constitution Amendment
U.C.C.	=	Uniform Commercial Code
F.R.E.	=	Federal Rules of Evidence
U.S.A.	=	United States of America

Supreme Court, U.S.
FILED
MAY 29 1999
CLERK

(2)

Case No. 98-1733

In the

Supreme Court of the United States

October Term, 1998

LARRY RITCHIE JUNIOR

Petitioner,

-vs-

BONNA GOODNIGHT [Sanitarian],
MID OHIO VALLEY HEATH DEPARTMENT [Sued as a Person],
ROBERT HOLLAND JUNIOR [Judge],
DAVID HANLON [Attorney],
STATE OF WEST VIRGINIA [Sued as a Person],
WEST VIRGINIA CONTRACTOR LICENSING
BOARD [Sued as a Person], and
JACK R. MURRAY [Chairman]

Respondents.

RESPONSE: JUDGMENT BY DEFAULT F.R.C.P. RULE 55: WRIT OF REPLEVIN TITLE 28 U.S.C. SECTION 1651

LARRY RITCHIE JUNIOR
c/o Route 2 Box 54
Marietta, Ohio 45750
Petitioners

2818

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Case No. 98-1733

In the

Supreme Court of the United States

October Term, 1998

LARRY RITCHIE JUNIOR

Petitioner,

-vs-

BONNA GOODNIGHT [Sanitarian],
MID OHIO VALLEY HEATH DEPARTMENT [Sued as a Person],
ROBERT HOLLAND JUNIOR [Judge],
DAVID HANLON [Attorney],
STATE OF WEST VIRGINIA [Sued as a Person],
WEST VIRGINIA CONTRACTOR LICENSING
BOARD [Sued as a Person], and
JACK R. MURRAY [Chairman]

Respondents,

RESPONSE: JUDGMENT BY DEFAULT Fed.R.Civ.P. RULE 55(a): WRIT OF REPLEVIN TITLE 28 U.S.C. § 1651

I. ABBREVIATIONS AND DEFINITIONS

Fed.R.Civ.P.	=	Federal Rules of Civil Procedure
U.S.C. §	=	United States Code Section
U.S. Const.Am.	=	United States Constitution Amendment
Sup.Ct.Prac.R.	=	Supreme Court Practice Rule

II. STATEMENT OF JURISDICTION

1) Supreme Court of United States has Jurisdiction over Subject Matter and all Parties under Fed.R.Civ.P. Rule 12(b)(1) for Jurisdiction over Subject Matter and Fed.R.Civ.P. Rule 12(b)(2) for Jurisdiction over Parties by Larry Ritchie Junior Petitioner invoking Supreme Court of United States' Jurisdiction for admission of filing Petition for Writ of Certiorari under Sup.Ct.Prac.R. 10 for Conflict

with Decision by Court of last resort within West Virginia State; Title 28 U.S.C. § 1257 for Judgment rendered by Supreme Court of Appeals of West Virginia for Court of last resort within West Virginia State; Article III Section 2 for Controversies between State and Citizen of Another State and Article III Section 2[1] for exercising Power of Judicial under 1789 U.S. Const.Am. I for Right of Petitioning Government for redress of grievances.

III. RESPONSE: JUDGEMENT BY DEFAULT

2) Without Due Process of Law under 1789 U.S. Const.Am. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. § 1986 for neglecting prevention of further injury(s) or wrong(s) by Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Valley Health Department [Sued as a Person] by Admission of acknowledgment of neglecting statement(s) claiming relief under Fed.R.Civ.P. Rule 8(a) for Claim(s) of Relief against Larry Ritchie Junior Petitioner's Petition for Writ of Certiorari under Sup.Ct.Prac.R. 15(3) for time of response.

3) Without Due Process of Law under 1789 U.S. Const.Am. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. § 1986 for neglecting prevention of further injury(s) or wrong(s) by Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Valley Health Department [Sued as a Person] by Admission of acknowledgment of neglecting Claim(s) of relief sought by Fed.R.Civ.P. Rule 8(a) for Claim(s) of Relief under Fed.R.Civ.P. Rule 8(b) for Form of Denial(s) against Larry Ritchie Junior Petitioner's Petition for Writ of Certiorari under Sup.Ct.Prac.R. 15(3) for time of response.

4) Without Due Process of Law under 1789 U.S. Const.Am. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. § 1986 for neglecting prevention of further injury(s) or wrong(s) by Respondents Bonna Goodnight

[Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Valley Health Department [Sued as a Person] by Admission of acknowledgment of neglecting Claim(s) of relief sought by Fed.R.Civ.P. Rule 8(a) for Claim(s) of Relief under Fed.R.Civ.P. Rule 8(c) for Affirmative defense(s) against Larry Ritchie Junior Petitioner's Petition for Writ of Certiorari under Sup.Ct.Prac.R. 15(3) for time of response.

5) Without Due Process of Law under 1789 U.S. Const.Am. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. § 1986 for neglecting prevention of further injury(s) or wrong(s) by Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Valley Health Department [Sued as a Person] by Admission of acknowledgment of neglecting Claim(s) of relief sought by Fed.R.Civ.P. Rule 8(a) for Claim(s) of Relief for Admission upon Record by Failing an Answer/Response by Denial under Fed.R.Civ.P. Rule 8(d) for Effect of Failing to Deny Larry Ritchie Junior Petitioner's Petition for Writ of Certiorari under Sup.Ct.Prac.R. 15(3) for time of response.

6) Without Due Process of Law under 1789 U.S. Const.Am. V and XIV; Larry Ritchie Junior Petitioner was injured for knowledge of Law under Title 42 U.S.C. § 1986 for neglecting prevention of further injury(s) or wrong(s) by Respondents Bonna Goodnight [Sanitarian];State of West Virginia [Sued as a Person] and Mid-Ohio Valley Health Department [Sued as a Person] by neglecting an Answer, Pleading or Defense under Fed.R.Civ.P. Rule 55(a) for Judgment by Default by Admission of acknowledgment of neglecting statement(s) claiming relief under Fed.R.Civ.P. Rule 8(a) for Claim(s) of Relief by Fed.R.Civ.P. Rule 8(b) for Form of denial(s) or Fed.R.Civ.P. Rule 8(c) for Affirmative defense(s) against Larry Ritchie Junior Petitioner's Petition for Writ of Certiorari under Sup.Ct.Prac.R. 15(3) for time of response.

IV. PRAYER FOR RELIEF

7) Larry Ritchie Junior Petitioner demands Compensation prayed for within Larry Ritchie Junior Petitioner's Petition for Writ of Certiorari filed April 28, 1999 against Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Valley Health Department [Sued as a Person] for surrendering Judgment by Default under Fed.R.Civ.P. Rule 55(a) for an Entry of Judgment by Default upon Admission by neglecting statement(s) claiming relief under Fed.R.Civ.P. Rule 8(a) for Claim(s) of Relief by Fed.R.Civ.P. Rule 8(b) for Form of denial(s) or Fed.R.Civ.P. Rule 8(c) for Affirmative defense(s) against Larry Ritchie Junior Petitioner's Petition for Writ of Certiorari under Sup.Ct.Prac.R. 15(3) for time of response in amount of $200,000.00 and no cents against per Respondent Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Valley Health Department [Sued as a Person] for neglect of Due Process of Law under 1789 U.S. Const.Am. V and XIV under Title 42 U.S.C. § 1986 for Knowledge of Law neglecting prevention of further injury(s) or wrong(s); Title 42 U.S.C. § 1985 for Conspiracy; Title 42 U.S.C. § 1983 for Deprivation of Rights under Color of Law; Title 18 U.S.C. § 242 for Deprivation of Rights; Title 18 U.S.C. § 241 for Conspiracy of Rights; Title 18 U.S.C. § 245 for Activities Federally Protected; Title 18 U.S.C. § 1505 for Obstruction of Justice; Title 18 U.S.C. § 1621 for Perjury of Oath of Office; Title 18 U.S.C. § 1651 for Piracy for Robbery of Rights by Deprivations upon Land and Title 18 U.S.C. § 1962 for interference with Flow of Commerce for an action under Writ of Replevin for relief demanded within Writ of Certiorari filed April 28, 1999 against Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Valley Health Department [Sued as a Person].

V. CONCLUSION

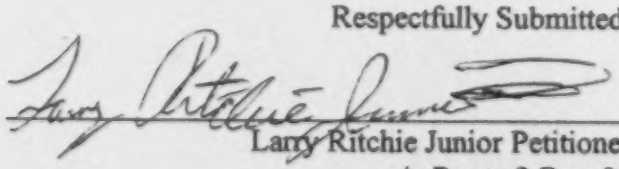
8) May 13, 1999; Without Due Process of Law under 1789 U.S. Const.Am. V and XIV; Larry Ritchie Junior Petitioner was

injured for knowledge of Law under Title 42 U.S.C. § 1986 for neglecting prevention of further injury(s) or wrong(s) by Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Valley Health Department [Sued as a Person] for neglecting an Answer; Pleading or Defense against Larry Ritchie Junior Petitioner's Petition for Writ of Certiorari timely upon Admission/confession serviced by regular pre-paid United States Mail Service for Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Valley Health Department [Sued as a Person] are in Default.

A. CAVEAT

9) Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Valley Health Department [Sued as a Person] has Five Business Days for curing Judgment by Default under Fed.R.Civ.P. Rule 55(a) for Entry of Judgment by Default under Operation and Rule of Law or Judgment by Default is final.

Respectfully Submitted,



Larry Ritchie Junior Petitioner
c/o Route 2 Box 54
Marietta, Ohio 45750

APPENDIX A— AFFIDAVIT IN SUPPORT OF RESPONSE: JUDGMENT BY DEFAULT UNDER Fed.R.Civ.P. RULE 55(a): WRIT OF REPLEVIN TITLE 28 U.S.C. § 1651.

Case No. 98-1733

In the

Supreme Court of the United States

October Term, 1998

LARRY RITCHIE JUNIOR

Petitioner,

-vs-

BONNA GOODNIGHT [Sanitarian] et al,

Respondents,

I. Larry Ritchie Junior Petitioner deposes under pains and penalties of Perjury following:

1) Larry Ritchie Junior Petitioner is Affiant within Affidavit in Support of Response: Judgment by Default under Fed.R.Civ.P. Rule 55(a) for Judgment by Default: Writ of Replevin under Title 28 U.S.C. § 1651.

2) Affiant's Response: Judgment by Default under Fed.R.Civ.P. Rule 55(a) for Judgment by Default: Writ of Replevin under Title 28 U.S.C. § 1651 is made timely and in Good Faith with no just cause for delay.

3) May 13, 1999; Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Health Department [Sued as a Person] mailed Affiant written Admission of waivering rights received by Affiant May 15, 1999 of Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Health Department [Sued as a Person] waivering Rights of neglecting a Answer; Pleading or Defense against Affiant's Petition for Writ of Certiorari filed April 28, 1999. {See Confession by way of waiver presented by Respondents Bonna

Appendix A

Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Health Department [Sued as a Person] marked as "Petitioner's Exhibit A" located within Appendix B.

4) Supreme Court of United States made no Entry by way of an Order granting no Party relief by waivering a Response; Pleading or Defense against Affiant's Petition for Writ of Certiorari filed April 28, 1999.

5) Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Health Department [Sued as a Person] freely admitted by confession of neglecting an Answer, Pleading or Defense against Affiant's Petition for Writ of Certiorari filed April 28, 1999 for all averments amounting for damage within Affiant's Petition for Writ of Certiorari are true and correct.

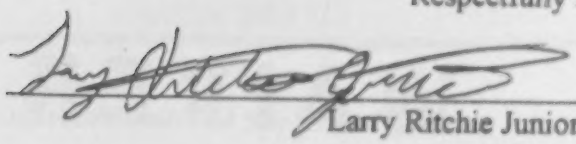
6) Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Health Department [Sued as a Person] surrendered Judgment by Default under Fed.R.Civ.P. Rule 55(a) for Judgment by Default by Rule of Law under Fed.R.Civ.P. Rule 8(d) for Admission by Effect of Failing to deny.

7) Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Health Department [Sued as a Person] are in default for Supreme Court of United States is without Jurisdiction of offering/giving advice upon any Party for Answering, Pleading or Defending Pleadings presented before Supreme Court of United States.

8) All presentment of facts within Affiant's Affidavit in Support of Affiant's response: Judgment by Default under Fed.R.Civ.P. Rule 55(a) for Judgment by Default: Writ of Replevin is very best of Affiant's knowledge, so help me God.

Appendix A

Respectfully Submitted,



Larry Ritchie Junior Petitioner
c/o Route 2 Box 54
Marietta, Ohio 45750

Subscribed before me under Oath/Affirmation 27 day of May, 1999

Notary

My Commission expires: AMANDA J. SHANKLAND
Notary Public
In and For The State of Ohio
My Commission Expires May 18, 2002

APPENDIX B--- **ADDENDUM** --- Waiver by Respondents

WAIVER

SUPREME COURT OF THE UNITED STATES

Supreme Court Case No. 98-1733

LARRY RITCHIE JUNIOR (Petitioner) v. BONNA GOODNIGHT (Respondent)

I DO NOT INTEND TO FILE A RESPONSE to the petition for a writ of certiorari unless one is requested by the Court.

Please check one of the following boxes:

☐ Please enter my appearance as Counsel of Record for all respondents.

☒ There are multiple respondents, and I do not represent all respondents. Please enter my appearance as Counsel of Record for the following respondent(s):

-- BONNA GOODNIGHT, STATE OF WEST VIRGINIA, AND MID-OHIO

-- VALLEY HEALTH DEPARTMENT

I certify that I am a member of the Bar of the Supreme Court of the United States (Please explain if your name has changed since your admission):

Signature Jeffrey K. Phillips by Stan Wood

Date: 5/13/99

(Type or print) Name Jeffrey K. Phillips

☒ Mr. ☐ Ms. ☐ Mrs. ☐ Miss

Firm Steptoe & Johnson

Address P O Box 1588

City & State Charleston, WV Zip 25326-1588

Phone (304) 353-8141

A COPY OF THIS FORM MUST BE SENT TO PETITIONER.

PLEASE INDICATE BELOW THE NAME(S) OF THE RECIPIENT(S) OF A COPY OF THIS FORM. NO ADDITIONAL CERTIFICATE OF SERVICE IS REQUIRED.

SEE REVERSE FOR INFORMATION CONCERNING THE STATUS OF A CASE ON THE DOCKET.

CC:

APPENDIX C--- AFFIDAVIT OF TRUTH

Case No. 98-1733

In the

Supreme Court of the United States

October Term, 1998

LARRY RITCHIE JUNIOR

Petitioner,

-vs-

BONNA GOODNIGHT [Sanitarian] et al,

Respondents.

I. Larry Ritchie Junior Petitioner deposes under pains and penalties of Perjury following:

1) Larry Ritchie Junior Petitioner is Affiant within Affidavit of Truth.

2) Affiant's Affidavit of Truth is made timely and in Good faith with no just cause for delay.

3) May 13, 1999; Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Valley Health Department [Sued as a Person] serviced Affiant with a Waiver of Answer, Pleading or Defense received by Affiant May 15, 1999 absent of presentment of an Order by Supreme Court of United States granting relief in favor of Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Valley Health Department [Sued as a Person] neglecting an Answer; Pleading or Defense against Affiant's Petition for Writ of Certiorari filed April 28, 1999.

4) Supreme Court of United States is without Authority of giving legal advice in favor of any party relevant within Case Number 98-1733 entitled LARRY RITCHIE JUNIOR PETITIONER -VS- BONNA GOODNIGHT [Sanitarian] et al; RESPONDENTS.

5) Supreme Court of United States possesses Jurisdiction

Appendix C

over Subject Matter under Fed.R.Civ.P. Rule 12(b)(1) for Jurisdiction over Subject Matter within Case Number 98-1733 entitled LARRY RITCHIE JUNIOR PETITIONER -VS- BONNA GOODNIGHT [Sanitarian] et al; RESPONDENTS.

6) Supreme Court of United States possesses Jurisdiction over Parties under Fed.R.Civ.P. Rule 12(b)(2) for Jurisdiction over all Parties within Case Number 98-1733 entitled LARRY RITCHIE JUNIOR PETITIONER -VS- BONNA GOODNIGHT [Sanitarian] et al; RESPONDENTS.

7) Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Valley Health Department [Sued as a Person] are in Default by Admission of waiver of Rights of Answering; Pleading or Defending Affiant's Petition for Writ of Certiorari filed April 28, 1999 for all averments amounting for damage are true.

8) Supreme Court of United States Practice Rule 15(2) warns of danger upon Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Valley Health Department [Sued as a Person] neglecting an Answer; Pleading or Defense in nature of Objection for Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Valley Health Department [Sued as a Person] is subject against Judgment by Default under Federal Rules of Civil Procedure Rule 55(a) for Entry of Judgment by Default by Rule of Law under Federal Rules of Civil Procedure Rule 8(d) for Effect of Failing to Deny.

9) Laches; Estoppel by Waiver; Estoppel In Pias and Res Judicata bars Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Valley Health Department [Sued as a Person] by asserting an Answer; Pleading or Defense against Affiant's Petition for Writ of Certiorari.

Appendix C

8) Affiant believes very best of Affiant's knowledge Respondent Bonna Goodnight [Sanitarian] is not members of Armed Forces of United States of America.

9) Affiant believes very best of Affiant's knowledge Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Valley Health Department [Sued as a Person] are competent.

10) All presentment of facts within Affiant's Affidavit of truth is very best of Affiant's knowledge, So help me God.

Respectfully Submitted,

Larry Ritchie Junior Petitioner
c/o Route 2 Box 54
Marietta, Ohio 45750

Subscribed before me under Oath/Affirmation 27 day of May, 1999.

Notary

My Commission expires: _____

AMANDA J. SHANKLAND
Notary Public
In and For The State of Ohio
My Commission Expires May 18, 2002

APPENDIX D --- WRIT OF PRAECIPE

Case No. 98-1733

In the

Supreme Court of the United States

October Term, 1998

LARRY RITCHIE JUNIOR

Petitioner,

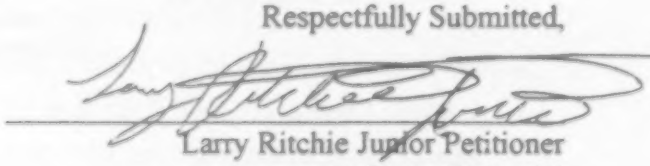
-vs-

BONNA GOODNIGHT [Sanitarian] et al,

Respondents

1) Larry Ritchie Junior Petitioner "Commands" Clerk of Court for Supreme Court of United States make an Official Entry of Judgment by Default under Fed.R.Civ.P. Rule 55(a) for Entry of Judgment by Default against Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Valley Health Department [Sued as a Person] for neglecting an Answer; Pleading or Defense against Larry Ritchie Junior Petitioner's Petition for Writ of Certiorari by Supreme Court Practice Rule 15(3) for required response by admission upon record of Supreme Court of United States by way of waiver.

Respectfully Submitted,



Larry Ritchie Junior Petitioner
c/o Route 2 Box 54
Marietta, Ohio 45750

APPENDIX E--- ORDER FOR ENTRY OF JUDGMENT BY DEFAULT

Case No. 98-1733

In the

Supreme Court of the United States

October Term, 1998

LARRY RITCHIE JUNIOR

Petitioner,

-vs-

BONNA GOODNIGHT [Sanitarian] et al,

Respondents

1) May 28, 1999; Larry Ritchie Junior Petitioner presented before Clerk of Court for Supreme Court of United States an Order for Entry of Judgment by Default under Fed.R.Civ.P. Rule 55(a) for Judgment by Default against Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Valley Health Department [Sued as a Person].

2) Upon examination of Larry Ritchie Junior Petitioner's Pleading entitled Response: Judgment by Default under Fed.R.Civ.P. Rule 55(a) for Judgment by Default: Writ of Replevin with presentation of evidence of Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Valley Health Department [Sued as a Person] admission of neglecting an Answer; Pleading or Defense against Larry Ritchie Junior Petitioner's Petition for Writ of Certiorari filed April 28, 1999; Clerk of Court for Supreme Court of United States finds no Order was issued by Supreme Court of United States granting relief in favor of permitting Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Valley Health Department [Sued as a Person] neglecting an Answer; Pleading or Defense.

Appendix E

3) Clerk of Court further finds Supreme Court of United States possesses Jurisdiction over Subject Matter under Fed.R.Civ.P. Rule 12(b)(1) for Jurisdiction over Subject Matter and Jurisdiction over all Parties under Fed.R.Civ.P. Rule 12(b)(2) for Jurisdiction over Parties and finds Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio valley Health Department [Sued as a Person] are in Default upon Admission of neglecting an Answer; Pleading or Defense against Larry Ritchie Junior Petitioner's Petition for Writ of Certiorari by presentment of waiver.

4) By authority possessed by me Clerk of Court for Supreme Court of United States by Rule of Law under Fed.R.Civ.P. Rule 55(a), following Order for Judgment by Default is granted against Respondents Bonna Goodnight [Sanitarian]; State of West Virginia [Sued as a Person] and Mid-Ohio Valley Health Department [Sued as a Person] for neglecting an Answer; Pleading or Defense against Larry Ritchie Junior Petitioner's Petition for Writ of Certiorari upon admission by Fed.R.Civ.P. Rule 8(d) for Effect of Failing to Deny for Admission of all averments amounting for damage as true and correct _____ day of _____; 1999.

_____

Clerk of Court

APPENDIX F ------ RELEVANT STATUTES.

I. Provisions under 1789 Constitution of United States

1) **Amendment I** - Right of Petitioning Government for Redress of grievances.

2) **Amendment V** - Due Process of Law.

3) **Amendment XIV** - Due Process and Equal Protection and Benefit under Law.

4) **Article III Section 2** - The Judicial Power shall extend to all Cases in law and Equity, arising under this Constitution, the Laws of United States, and treaties made, under authority;- to all cases affecting Ambassadors; other Public Ministers and Consuls;- to all cases of admiralty and maritime jurisdiction;- to controversies to which the United States shall be a Party;- to controversies between two or more States;- to controversies between a State and Citizens of another State;- to controversies between citizens of different States;- between Citizens of same State claiming lands under grants of different States;- and between a State or the Citizen thereof, and foreign States, Citizens or Subjects.

II. United States Code

5) **Title 18 U.S.C. § 241- "Conspiracy"**

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him be the Constitution or Laws of the United States, or because of his having so exercised the same; or

They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnapping or an attempt to kidnap, aggravated sexual

abuse or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death.

6) **Title 18 U.S.C. § 242 - "Deprivation of Rights under Color of Law"**

Whoever, under color of any law, statute, ordinance, Regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

7) **Title 18 U.S.C. § 245 - "Federally Protected Activities"**

(b) Whoever, whether or not acting under Color of Law, by use of force willfully injuries, intimidates or interferes with, or attempts to injure, intimidate or interfere with-

(1) any person because he is or has been, or in order to intimidate such person or any other person or any class of persons

from - (B) participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administrated by United States.

8) **Title 18 U.S.C. § 872 - "Extortion"**

Whoever, being an officer, or employee of the United States or any department or agency thereof, or representing himself to be or assuming to act as such, under color or pretense of office or employment commits or attempts an act of extortion, shall be fined under this title or imprisoned not more than three years, or both.

9) **Title 18 U.S.C. § 1505 - "Obstruction of Justice"**

Whoever, with intent to avoid, evade, prevent, or obstruct compliance, in whole or in part, with any civil investigative demand duly properly made under antitrust civil process act, willfully withholds, misrepresents, removes from any place, conceals, covers-up, destroys, mutilates, alters, or by other means falsifies any documentary material, answers to written interrogatories, or oral testimony, which is the subject of such demand; or attempts to do so, or whoever corruptly, or by threats or force, or by any threatening letter or communication influences, obstructs, impedes, or endeavors to influence, impede or obstruct the due and proper adminstration of the law under which any pending proceeding is being had before any department or agency of the United States; or the due and proper exercise of the power of inquiry under which any inquiry or investigation is being had by either House, or any Committee of either House or any joint Committee of the Congress shall be fined under this Title or imprisoned not more than Five Years, or both.

10) **Title 18 U.S.C. § 1621 - "Perjury of Oath of Office"**

Whoever;

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(1) having taken as oath before a competent tribunal, officer, or person, in any case in which a law of the united states authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true; or

(2) in any declaration, certificate, verification, or statement under penalty of perjury as permitted under section 1746 of title 28, United States Code, willfully subscribes as true any material matter which he does not believe to be true is guilty of perjury and shall, except as otherwise expressly provided by law, be fined under this title or imprisoned not more than five years, or both. This section is applicable whether the statement or subscription is made within or without the United States.

11) **Title 18 U.S.C. § 1651 - "Piracy for Robbery of Rights upon Land"**

Whoever on the high seas commits the crime of piracy as defined by Law of Nations and is afterwards brought into or found in the United States shall be imprisoned for life.

12) **Title 18 U.S.C. § 1962 - "Prohibited Activities"**

It shall be unlawful for any person through a pattern of fraud and rackeetering activity through collection of an unlawful debt to acquire or maintain, directly or indirectly, any interest in or control of any enterprise which is engaged in, or the activities which effect interstate commerce.

It shall be unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which effect

interstate or foreign commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of fraud and rackeetering activity or collection of an unlawful debt.

13) **Title 28 U.S.C. § 1257 - "State courts; Certiorari"**

Final judgments or decrees rendred by the highest court of a state in which a decision could be had, may be reviewed by the Supreme Court of the United States by writ of certiorari where the validity of a treaty or statute is drawn into question or where the validity of a statute of any state is drawn into question upon grounds of being repugnant to the Constitution, treaties, or laws of the United States, or where any title right or priviledge or immunity is specially setup or claimed under the Constitution or the treaties or statutes of, or any commission held or authority exercised under; the United States.

14) **Title 28 U.S.C. § 1651 - "Writs"**

The Supreme Court and all Courts established by Act of Congress may issue Writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principals of law.

An alternative writ or rule nisi may be issued by a justice or judge of a Court which has jurisdiction.

15) **Title 42 U.S.C. § 1983 "Deprivations of Rights"**

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or cause to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress. For the purposes of

this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

16) **Title 42 U.S.C. § 1985(3)- "Conspriacy of Rights"**

Depriving persons of rights or privileges. If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any state or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice President, or as a Member of Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy; in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators.

17) **Title 42 U.S.C. § 1986 -"Knowledge of Law"**

Every person who, having knowledge that any of the wrongs

conspired to be done, and mentioned in section 1985 of this Title, are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects of refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or his legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action of the case; and any number of persons guilty of such wrongful neglect or refusal may be joined as defendants in the action; and if the death of any party be caused by any such wrongful act and neglect, the legal representatives of the deceased shall have such action therefor, and may recover not exceeding $5,000.00 damages therein, for the benefit of the widow of the deceased, if there be one, and if there be no widow, then for the benefit of the next of kin of the deceased. But no action under the provisions of this section shall be sustained which is not commenced within one year after the cause of action has accrued.

III. Supreme Court of United States Practice Rules

18) **Rule 10** - Review on a writ of certiorari is not a matter of right, but judicial discretion. A petition for a writ of certiorari will be granted only for compelling reasons. The following although neither controlling nor fully measuring the Court's discretion, indicate the character of the reasons the Court considers:

(b) a state court of last resort has decided an important federal question in a way that conflicts with the decision of another court of last resort or of a United States Court of Appeals.

19) **Rule 15** - Any brief in oposition shall be filed within 30 days after the case is placed upon the docket, unless time is extended

by the Court or a Justice.

IV. Federal Rules of Civil Procedure

20) **Rule 8(a) - "Claims for Relief"**

A pleading which sets forth a claim for relief, whether an original claim, counter claim, cross-claim, or third party claim shall contain (1) a short plain statement of the grounds upon which the court's jurisdiction depends, unless court already has jurisdiction to support it; (2) a short plain statement of the claim showing that the pleader is entitled to relief and (3) a demand for judgment for the relief the pleader seeks. Relief in the alternative or of several different types may be demanded.

21) **Rule 8(b) - "Defenses; Form of Denials"**

A Party shall state in short and plain terms the Party's defenses to each claim asserted and shall admit or deny the averments upon which the adverse Party relies. If a Party is without knowledge or information sufficient to form a belief as to the truth of an averment, the Party shall so state and this shall has the effect of a denial. Denials shall fairly meet the substance of the averments denied. When a Pleader intends in Good Faith to deny only a Part or a qualification of an averment, the pleader shall so specify so much of it as it is true and material and shall deny only the remainder. Unless the pleader intends in Good Faith to controvert all the averments of the preceding pleading, the pleader may make denials as specific denials of designated averments or paragraphs or may generally deny all the averments except such designated averments or paragraphs as the

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pleader expressly admits; but, when the pleader does so intend to controvert all its averments, including averments of the grounds upon which the court's jurisdiction depends, the pleader may do so by general denial subject to the obligations set forth in Rule 11.

22) **Rule 8(c) - "Affirmative Defenses"**

In a pleading to a preceding pleading, a party shall set forth affirmatively accord and satisfication, arbitration and award, assumption of risk, contributory negligence, discharge in bankruptcy, duress, estoppel, failure of consideration, fraud, illegality, injury by fellow servant, laches, license, payment, release, res judicata, statutes of fraud, statute of limitations, waiver and any other matter constituting avoidance or affirmative defenses. When a Party has mistakenly designated a defense as a counterclaim as a defense, the court on terms, if justice so requires, shall treat the pleading as if there had been a proper designation.

23) **Rule 8(d) - "Effect of Failing to Deny"**

Averments within a pleading to which a responsive pleading is required, other than those as to the amount of damage, are admitted when not denied in the responsive pleading. Averments in a pleading to which no responsive pleading is required or permitted shall be taken as denied or avoided.

24) **Rule 12(b)(1)** - Jurisdiction over Subject Matter.

25) **Rule 12(b)(2)** - Jurisdiction over Parties

26) **Rule 55(a) - "Judgment by Default"**

(a) Entry

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When a party against whom a judgment for affirmative relief is sought has failed to answer, plead or otherwise defend as provided by these rules and that fact is made to appear by affidavit or otherwise, the clerk shall enter the party's default.